

THE OPINION IN SUPPORT OF THE DECISION BEING ENTERED TODAY WAS NOT
WRITTEN FOR PUBLICATION AND IS NOT BINDING PRECEDENT OF THE BOARD

Filed by: Trial Section Merits Panel
Mail Stop INTERFERENCE
Board of Patent Appeals and Interferences
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Paper No. 16
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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

KAZUSHIGE NAKAMURA, AKIO MARUYAMA,
NORIYUKI TAKAGI and MICHIYO SEKIYA
Junior Party
(Patent 5,693,443)¹

v.

KIMIYUKI ITO, KEIICHI INAGAKI
and TAKESHI ISHIDA
Senior Party
(Application 09/955,030)²

Patent Interference No. 105,554
(Technology Center 1700)

Before LEE, LANE, and MOORE, Administrative Patent Judges.

LEE, Administrative Patent Judge.

Judgment -- Request for Adverse -- Bd. R. 127(b)

¹ Based on Application 08/746,980, filed November 19, 1996. The real party in interest is Canon Kabushiki Kaisha.

² Filed September 19, 2001. Accorded the benefit of Application 08/693,717, filed August 7, 1996. The real party in interest is Minolta Co., Ltd.

Interference No. 105,554

Nakamura v. Ito

1 Junior party Nakamura has requested entry of adverse judgment (Paper 15). The request
2 is granted. Accordingly, it is

3 **ORDERED** that judgment on priority as to the subject matter of Count 1 is herein
4 entered against junior party KAZUSHIGE NAKAMURA, AKIO MARUYAMA, NORIYUKI
5 TAKAGI, and MICHIO SEKIYA;

6 **FURTHER ORDERED** that junior party KAZUSHIGE NAKAMURA, AKIO
7 MARUYAMA, NORIYUKI TAKAGI, and MICHIO SEKIYA is not entitled to claims 1-12 of
8 its involved Patent No. 5,693,443, which correspond to Count 1;

9 **FURTHER ORDERED** that if there is a settlement agreement, the parties should note
10 the requirements of 35 U.S.C. § 135(c) and Bd. Rule 205; and

11 **FURTHER ORDERED** that a copy of this judgment be placed in the respective
12 involved application or patent of the parties.

/ss/ Jameson Lee)	
JAMESON LEE)	
Administrative Patent Judge)	
)	
)	
/ss/ Sally Gardner Lane)	BOARD OF PATENT
SALLY GARDNER LANE)	APPEALS AND
Administrative Patent Judge)	INTERFERENCES
)	
)	
/ss/ James T. Moore)	
JAMES T. MOORE)	
Administrative Patent Judge)	

Interference No. 105,554
Nakamura v. Ito

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